



IT IS ORDERED as set forth below:

Date: January 10, 2022

A handwritten signature in black ink, reading "Jeffery W. Cavender".

Jeffery W. Cavender
U.S. Bankruptcy Court Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	:	CHAPTER 7
	:	
CHARLES ANTONIO CROFF,	:	
	:	CASE NO. 18-69002-JWC
Debtor.	:	
	:	

**ORDER APPROVING AMENDED SETTLEMENT AGREEMENT UNDER RULE 9019
OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

On November 23, 2021, S. Gregory Hays, as Chapter 7 Trustee (“**Trustee**”) for the bankruptcy estate (the “**Bankruptcy Estate**”) of Charles Antonio Croff (“**Debtor**”), filed his *Motion for Approval of Amended Settlement with Debtor under Rule 9019 of the Federal Rules of Bankruptcy Procedure* [Doc. No. 89] (the “**Motion**”), seeking an order, among other things, approving an Amended Settlement Agreement¹ pursuant to which, *inter alia*,² Trustee, on the

¹ Capitalized terms used herein but not otherwise defined shall have the meanings ascribed to them in the Motion.

² The following is a summary of the Amended Settlement Agreement and is not intended to be comprehensive. To the extent that anything in this summary is contrary to the terms of the

one hand, and Debtor, on the other hand, settle the claim that the Bankruptcy Estate has regarding that certain real property with a common address of 4845 Price Street, Forest Park, Clayton County, Georgia for certain payments (“**Scheduled Payments**”) totaling \$55,000.00 (the “**\$55,000.00 Settlement Funds**”) from Debtor in exchange for Trustee’s abandoning the Bankruptcy Estate’s Interest in the Property to Debtor. In short, Trustee and Debtor agreed to amend the original settlement agreement previously approved by Order [Doc. No. 85] of the Court (the “**First Settlement Order**”), by extending the deadlines for Debtor to pay the \$55,000.00 Settlement Funds. As before, Debtor is required to maintain and insure the Property and to pay his Mortgage Payments until the later of: (a) Trustee’s receipt in full of the \$55,000.00 Settlement Funds from Debtor in good funds; or (b) this Order becoming final. There are also default and cure provisions should Debtor fail to pay timely any of the Scheduled Payments. The exact terms of the Amended Settlement Agreement are set forth in Exhibit “A” to the Motion.

On November 24, 2021, Trustee filed *Notice of Pleading, Deadline to Object, and for Hearing* [Doc. No. 90] (the “**Notice**”) regarding the Motion, in accordance with General Order No. 24-2018. Counsel for Trustee certifies that he served the Notice on all requisite parties in interest on November 24, 2021. [Doc. No. 91].

The Notice provided notice of the opportunity to object and for hearing pursuant to the procedures in General Order No. 24-2018. No objection to the Motion was filed prior to the objection deadline provided in the Notice.

Amended Settlement Agreement, the terms of the Amended Settlement Agreement shall controls.

The Court having considered the Motion and all other matters of record, including the lack of objection to the relief requested in the Motion, and, based on the forgoing, finding that no further notice or hearing is necessary; and, the Court having found that good cause exists to grant the relief requested in the Motion, it is hereby

ORDERED that the Motion is **GRANTED**: the Amended Settlement Agreement is approved and its terms are incorporated herein. It is further

ORDERED that this Order supersedes and vacates the First Settlement Order. It is further

ORDERED that Trustee and Debtor may take any other actions necessary to effectuate the terms of the Amended Settlement Agreement. It is further

ORDERED that this Court retains jurisdiction to (i) interpret, implement, and enforce this Order, (ii) resolve any disputes regarding or concerning the Amended Settlement Agreement, and (iii) enter such other and further orders as may be necessary, just, or proper as an aid to enforcement or implementation of this Order.

[END OF DOCUMENT]

Order prepared and presented by:

ARNALL GOLDEN GREGORY LLP

Attorneys for Trustee

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Identification of entities to be served:

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